

Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 2189

House Bill No. 2256*

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting the amendatory language of Section 4 and substituting the following:

(d)

(1) As used in this subsection (d), "successor in interest" means a successor in ownership of any part of a business or enterprise that is carried on and controlled in substantially the same manner as the penalized construction services provider.

(2) A penalty issued under this section must follow any owner of a business, or member of an LLC, that is closed, liquidated, or dissolved, when that owner or member owns or operates any part of a subsequent business that is carried on and controlled in substantially the same manner as the penalized construction services provider.

(3) A successor in interest to a construction service provider is liable for any penalty assessed under this section against that construction services provider.

(4) A penalized owner, or member of an LLC, of a construction services provider, or a successor in interest to the construction services provider, may appeal a penalty assessment by requesting a contested case hearing pursuant to § 50-6-412(e).

(5) The administrator or the administrator's designee may waive a penalty against a penalized owner, or member of an LLC, of a construction services provider, or successor in interest to a construction services provider, for good cause.

AND FURTHER AMEND by deleting SECTION 7 and substituting instead the following:

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it, and applies to penalties assessed on or after the effective date of this act.



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Comm. Amdt. _____

Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 2190

House Bill No. 2257*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-6-207(3)(B), is amended by adding the language ", or one hundred eighty (180) days after the employee reaches maximum medical improvement, whichever is later," after the word "ends" wherever it appears.

SECTION 2. Tennessee Code Annotated, Section 50-6-207(3)(D), is amended by adding the language "or one (1) year after the one hundred eighty-day period after the employee reaches maximum medical improvement, whichever is later" after the word "ends" wherever it appears.

SECTION 3. Tennessee Code Annotated, Section 50-6-801(d)(4), is amended by deleting the language "sixty (60) days" and substituting instead "one hundred eighty (180) days".

SECTION 4. Tennessee Code Annotated, Section 50-6-802(f), is amended by deleting the subsection in its entirety.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it, and applies to injuries occurring on or after the effective date of this act.



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Amendment No. _____

Signature of Sponsor

FILED

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Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2861

House Bill No. 2154*

by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 50-6-226(d)(1), is amended by deleting the language "may award reasonable attorneys' fees" and substituting the language "may award reasonable attorneys' fees not to exceed fifteen thousand dollars (\$15,000) except as provided in subdivision (d)(3)".

SECTION 2. Tennessee Code Annotated, Section 50-6-226(d), is amended by adding the following as new subdivisions:

(3) In extraordinary cases, attorneys' fees not to exceed thirty thousand dollars (\$30,000) may be awarded pursuant to this subsection (d) if the presiding workers' compensation judge determines, based on clear and convincing evidence, that limiting the attorneys' fees to fifteen thousand dollars (\$15,000) is inequitable in light of the totality of the circumstances and all factors set forth in Rule 1.5 of the Tennessee Rules of Professional Conduct as adopted by Tennessee Supreme Court Rule 8. If the workers' compensation judge awards attorneys' fees exceeding fifteen thousand dollars (\$15,000) pursuant to this subdivision (d)(3), then the workers' compensation judge shall make specific, documented findings of fact in the order that detail the reasons for awarding those attorneys' fees.

(4) The attorneys' fees awarded by the presiding workers' compensation judge pursuant to this subsection (d) must not be charged against or deducted from benefits otherwise due the employee.

SECTION 3. Tennessee Code Annotated, Section 50-6-226(d)(2), is amended by deleting the subdivision and substituting the following:



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(2)

(A) Subdivision (d)(1)(B) applies to injuries that occur on or after July 1, 2016, but does not apply to injuries that occur after June 30, 2020.

(B) Except as provided in subdivision (d)(2)(A), this subsection (d) applies to injuries that occur on or after July 1, 2020, but does not apply to injuries that occur after June 30, 2022.

SECTION 4. This act shall take effect July 1, 2020, the public welfare requiring it, and applies to contracts or agreements entered into on or after that date.